

# Notice of Allowability

Application No.

09/819,210

Examiner

Naresh Vig

Applicant(s)

KAWAI, EIJI

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request For Continued Examination filed on 30 July 2004.

2. ☒ The allowed claim(s) is/are 16-22 and 36.

3. ☒ The drawings filed on 28 March 2001 are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some\* c) ☐ None of the:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT OF NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Claims 1, 3, 6 - 13, 16 Paper No./Mail Date \_\_\_\_\_

7. ☐ Examiner's Amendment/Comment, Claims 16 - 22 and 36

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

JOHN G. WEISS

SUPERVISORY PATENT EXAMINER

PHYSIOLOGY CENTER 3300

## **DETAILED ACTION**

### ***Drawings***

The drawings have been approved by the examiner.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dennis Smid (Registration Number 34930) on 28 October 2004, 24 November 2004, 06 December 2004 and voicemail received on 10 December 2004.

The application has been amended as follows:

Claims 1, 3, 6 – 13, 15 and 27 – 35 have been cancelled.

Claims 16 – 22 and 36 are pending for examination.

Claim 16 has been amended as follows:

16. A sales activity management method for selling an information processing apparatus from an apparatus manufacturer to a user, and selling information contents available at the information processing apparatus from the information provider to the user, comprising the steps of:

managing manufacture of said information processing apparatus; and selling said information processing apparatus to a user at the sales price less than manufacturer's desired selling price of said apparatus manufacturer;

providing available information contents at said information processing apparatus; and then;

collecting in a provision management terminal a charge based upon at least content sale information according to sales of said information contents provided to said user available at said information processing apparatus; and

<sup>sales</sup>  
~~Sales~~ Activity Management Apparatus setting an amount of money to be remitted to said apparatus manufacturer based at least upon said content sales information; and

as collected by said provision management terminal as compensation information according to a for difference between manufacturer's desired selling price and actual sales selling price of said information processing apparatus.

After the examiner's amendment, Claim 16 will read as:

16. A sales activity management method for selling an information processing apparatus from an apparatus manufacturer to a user, and selling information contents available at the information processing apparatus from the information provider to the user, comprising the steps of:

- managing manufacture of said information processing apparatus, and selling said information processing apparatus to a user at the sales price less than manufacturer's desired selling price of said apparatus manufacturer;
- providing available information contents at said information processing apparatus;
- collecting in a provision management terminal a charge based upon at least content sale information according to sales of said information contents provided to said user available at said information processing apparatus; and
- Sales Activity Management Apparatus setting an amount of money to be remitted to said apparatus manufacturer based at least upon said content sales information collected by said provision management terminal as compensation for difference between manufacturer's desired selling price and actual sales price of said information processing apparatus.

**Allowable Subject Matter**

Apparatus.

The following is an examiner's statement of reasons for allowance: Any comments consist

of the following:

In claim 16, applicant claims a sales activity management method for selling a basic fee. On information processing apparatus (e.g. satellite TV set-top box) to a user (e.g. viewer), proceeds for All Information provider (e.g. Direct Broadcast Service Company) provides information concerning contents to the user at the information processing apparatus. examiner should be directed to

Data is collected at said information processing apparatus, and then, collecting a normally be charge from user based upon at least sale information collected at said information processing apparatus; and

Amount of money to be remitted to said apparatus manufacturer is set based at least upon said content sales information as compensation for difference between manufacturer's desired selling price (MSRP) and actual selling price of said information processing apparatus (e.g. Direct Broadcast Service Provider sells the device to the user at a discounted price). Status information for unpubli

Prior Art teaches selling an information processing apparatus; managing information about the manufacture of the processing apparatus, providing available information contents at information processing apparatus. Business Center (EBC) at 866

Prior art does not teach setting an amount of money to be remitted to apparatus manufacturer based upon content sales as compensation for difference between

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manufacturer's desired selling price and actual selling price of information processing apparatus.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Naresh Vig  
November 24, 2004

  
JOHN G. WEISS  
SENIOR PATENT EXAMINER  
FEB 24 2005